

City Council Communication

Department: Community Development Applicant: John and Margaret LaBounty 109 Pearl Street, Council Bluffs, IA 51503 Case #ENC-08-001	Resolution to Grant No. <u>08-41</u>	Public Hearing: 3/24/08, continued by prior City Council action
Subject/Title Request to encroach into the South Main Street public right-of-way located adjacent to 109 Pearl Street to allow construction of an ADA compliant access ramp.		
Background and Discussion <p>The applicant purchased the property at 109 Pearl Street for residential and commercial use. In order to accommodate commercial use on the first floor the structure must be handicap accessible. Because the structure extends from lot line to lot line there is no additional lot area to construct an ADA compliant ramp on the exterior of the building.</p> <p>A policy was adopted by the City Council on January 28, 2008 establishing a procedure for allowing intrusions into the public pedestrian way in the C-3 and C-4 districts. The City Council granted an easement for an encroachment in the Pearl Street right-of-way at a previous meeting. Compensation was not established and as such the easement has not been conveyed.</p> <p>The request to build a ramp which would encroach into the South Main Street right-of-way was not approved at that time. The proposed design and appearance of the ramp was not consistent with the policy. The applicant has submitted a revised plan that is consistent with the intent of the policy. The ramp will have a concrete deck, metal handrail (similar to the original rail as seen on a historical photo of the building entrance), and will be 'skirted' with masonry brick on a footing as shown on the elevation drawing. The note regarding screen mesh under the ramp is not accurate and is not acceptable. It is assumed the note was not removed following revisions to the plan. The brick will match that of the existing building in order to compliment the structure. The proposed encroachment area is shown on Attachment 'A'. The proposed ramp design is shown on Attachment 'B'.</p> <p>Compensation was not established for the approved encroachment into the Pearl Street right-of-way or the proposed encroachment. One such amount to consider could be based on a per-square-foot assessed valuation of the adjacent land. In this case \$4.39/ft. Using that example:</p> <p style="padding-left: 40px;">Pearl Street encroachment would be valued at approximately: 54.67 ft/sq. x \$4.39= \$240.00 ; South Main Street encroachment would be valued at approximately: 185.2 ft/sq. x \$4.39= \$813.00.</p> <p>Easement conveyance is not effective until the compensation is established by the City Council, recorded and received from the applicant. The building permit will not be issued until such time as the conveyance is complete.</p>		
Attachments Attachment A: Easement plat Attachment B: Proposed encroachment design as submitted by the applicant		
Prepared by: Rose Brown, Urban Planner, Community Development Department		

Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503 - Phone: 328-4616

Prepared by: Community Development Dept., Council Bluffs, IA 51503 - Phone: 328-4629

RESOLUTION NO. 08-41

A RESOLUTION TO GRANT AN EASEMENT AND CONVEY CERTAIN PROPERTY RIGHTS IN THE SOUTH MAIN STREET RIGHT-OF-WAY ADJACENT TO LOT 3, BLOCK 9, BAYLISS 1ST ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, following public hearing and having given careful study to the proposal, the City Council determines that city-owned property described 'Exhibit A' located in the City of Council Bluffs, Pottawattamie County, Iowa, is of limited benefit to the public and an easement can be granted; and

WHEREAS, pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose of this easement on City right-of-way by granting and conveying an interest in it to the abutting property owner(s); and

WHEREAS, City of Council Bluffs, a municipal corporation of the State of Iowa, and its agents, contractors and assigns, a permanent easement for ROW encroachment improvement for the purposes of constructing, reconstructing, repairing, and maintaining a ROW encroachment improvement together with necessary appurtenances thereto, in, to, on, over, and across the following described real estate see exhibit "A" easement plat.

WHEREAS, this easement conveyance is subject to the reservation of the following terms and conditions:

Erection of structures prohibited: grantee or successors or assigns shall not erect any structure over or within the easement area without obtaining prior written consent of the city engineer,

Change of grade prohibited: grantee or successors or assigns shall not change the grade, elevation, or contour of any part of the easement area without obtaining the prior written consent of the city engineer,

Right of access: grantee shall have the right of access to the easement area and have all rights of ingress and egress reasonably necessary for the use and

enjoyment of the easement area described.

Removal and Replacement: The cost of removal and replacement of any unauthorized improvement or structure within the easement area, necessitated by the exercise of the rights under this easement, shall be borne by the grantee or their successors or assigns.

Duty to repair: grantee or successors or assigns agrees that any Curb, walk or other city improvement outside of the easement area which may be damaged as a result of any entry made through the exercise of the grantee's right of access shall be repaired at no expense to the grantor.

Duty to Maintain: grantee or successors or assigns agrees that any row encroachment improvement must be maintained in good working order for its intended use. Maintain shall include ensuring improvement is not in violation of the municipal code.

Indemnity: Grantee hereby agrees to indemnify and hold Grantor harmless from and against any and all loss, damage, or liability they may sustain by virtue of the activities of the grantee conducted pursuant to this easement on the property owned by grantor.

WHEREAS, Grantor Reservation: Grantor reserves the right to use the Easement Area for the maintenance of any and all utilities equipment presently in place, and for such reconstruction, re-emplacement and repair thereof which said Grantor and its licensees and/or franchise grantees may in the future deem necessary and proper and for the removal of any improvements emplaced thereon by the grantees, or their successors or assigns, necessitated by the reconstruction, re-emplacement, or repair of such utilities, such removal to be at the sole expense of grantees or their successors or assigns and without cost to the grantor, its licensees and/or franchise grantees, and without obligation to repair or replace such improvements, and subject to any and all other easements and right-of-way of record and those not of record

WHEREAS, Easement Sunset: this easement shall be deemed to run with the land and shall be binding on grantor and grantor's successors or assigns with granting annually, automatically renewed unless either party desires a change in the easement. Annual renewal anniversary shall be considered this instrument county filing date. Release of Easement shall be required by grantor if city finds either 1) failure of the grantee to abide by the ROW encroachment terms and conditions, 2) ROW encroachment improvement is no longer used for its intended use. Release of Easement shall be required by grantor if City Council finds either sunset condition is met.

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA:

That the easement, as described on 'Exhibit A' and identified as Tract 2 subject to the conditions set out above, is on city right-of-way and is hereby granted and conveyed as follows:

John M. and Margaret V. LaBounty, and all successors in interest: Easement area as shown on 'Exhibit A' and identified as Tract 2, for a the sum of \$ _____.

BE IT FURTHER RESOLVED

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to record a resolution along with a plat of survey granting an easement and conveying the City's interest in the above-described property for the consideration yet to be determined; and

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code 354.23.

ADOPTED

AND

APPROVED: March 24, 2008

Thomas P. Hanafan, Mayor

ATTEST:

Judith H. Ridgeley, City Clerk

STATE OF IOWA)
COUNTY OF) ss
POTTAWATTAMIE)

On this ____ day of _____, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Thomas P. Hanafan and Judith H. Ridgeley, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Thomas P. Hanafan and said Judith H. Ridgeley,

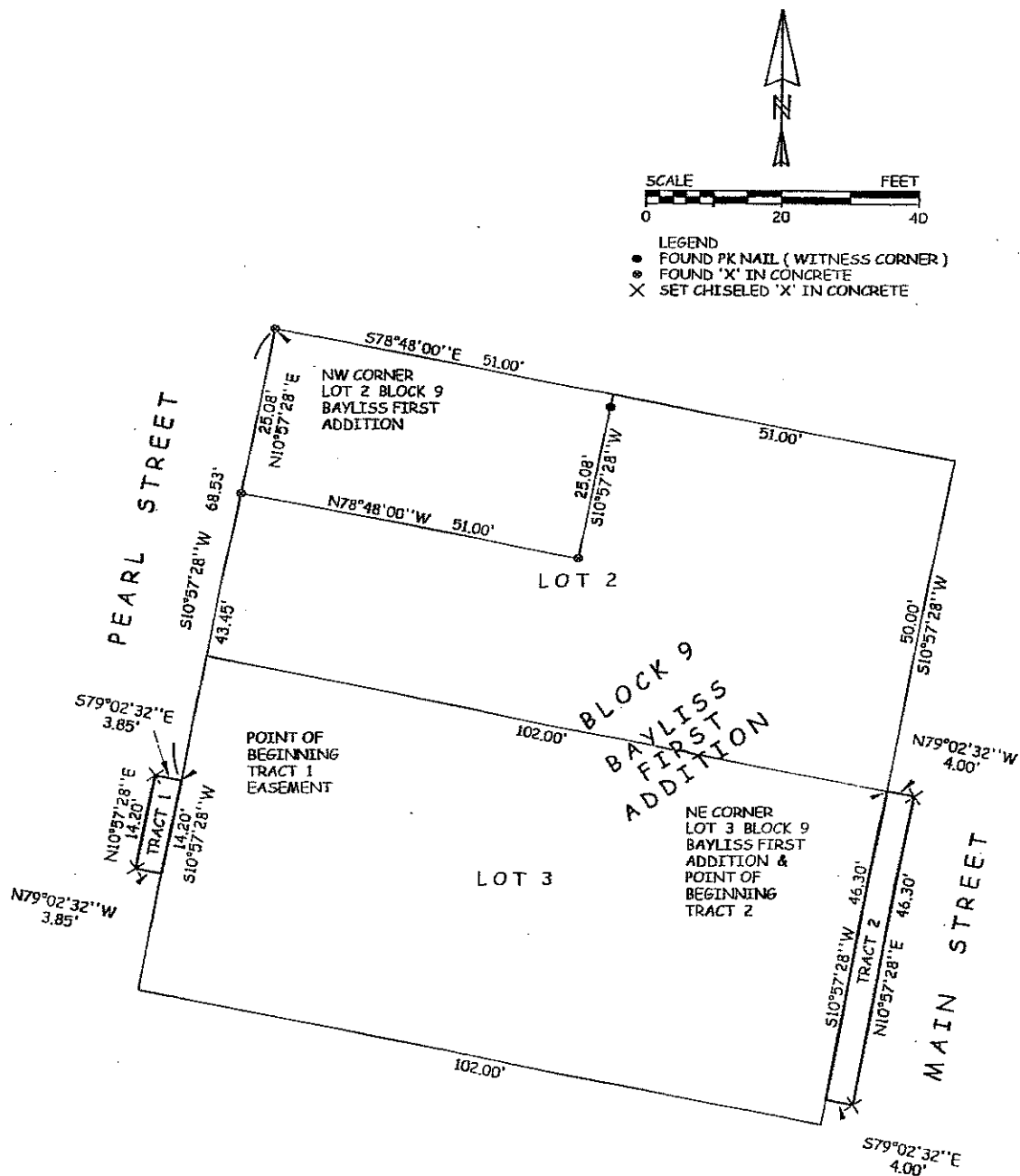
as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public in and for said State

Planning Case #ENC-08-001

PREPARED BY: LAND SURVEYING SERVICES, INC.
12 NO. WALNUT STREET GLENWOOD, IOWA 51534

PROJECT NAME: JOHN LABOUNTY
R.O.W. ENCROACHMENT IMPROVEMENT:
ACQUIRED FROM: CITY OF COUNCIL BLUFFS, IOWA A MUNICIPAL CORPORATION



LAND SURVEYING SERVICES, INC.
12 NO. WALNUT STREET
GLENWOOD, IOWA 51534
(712)527-3509

SCALE: 1" = 20' DATE: JANUARY, 2008 DRAWN BY: MWB
DRAWING NO. LABOUNTY.ZAK

EXHIBIT "A"

PROJECT NAME: JOHN LABOUNTY
R.O.W. ENCROACHMENT IMPROVEMENT

TRACT 1

Permanent Easement Description:

An easement over Pearl Street right-of-way located in part of Bayliss First Addition in the City of Council Bluffs, Pottawattamie County, Iowa, said easement being more particularly described as follows:

Commencing at the Northwest Corner of Lot 2 in Block 9 of said Bayliss First Addition; thence S10°57'28"W along the West line of said Lot 2 and along the West line of Lot 3 of said Block 9 a distance of 68.53 feet to the Point of Beginning; thence continuing S10°57'28"W along said West line a distance of 14.20 feet; thence N79°02'32"W a distance of 3.85 feet; thence N10°57'28"E a distance of 14.20 feet; thence S79°02'32"E a distance of 3.85 feet to the Point of Beginning. Said easement contains 54.67 square feet, more or less.

Note: The West line of Lot 2 in Block 9 of said Bayliss First Addition is assumed to bear S10°57'28"W for this description.

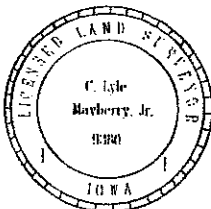
TRACT 2

Permanent Easement Description:

An easement over Main Street right-of-way located in part of Bayliss First Addition in the City of Council Bluffs, Pottawattamie County, Iowa, said easement being more particularly described as follows:

Commencing at the Northeast Corner of Lot 3 in Block 9 of said Bayliss First Addition and the Point of Beginning; thence S10°57'28"W along the East line of said Lot 3 a distance of 46.30 feet; thence S79°02'32"E a distance of 4.00 feet; thence N10°57'28"E a distance of 46.30 feet; thence N79°02'32"W a distance of 4.00 feet to the Point of Beginning. Said easement contains 185.20 square feet, more or less.

Note: The East line of Lot 3 in Block 9 of said Bayliss First Addition is assumed to bear S10°57'28"W for this description.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

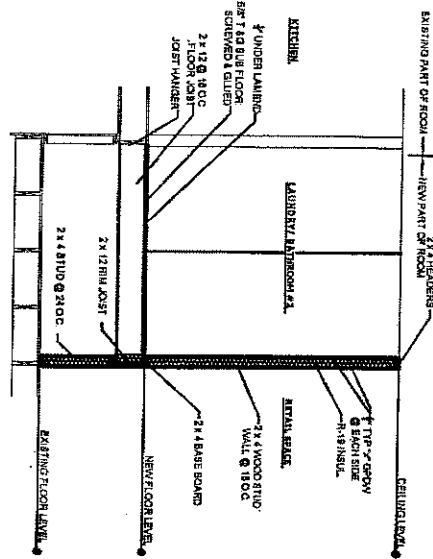
C. Lyle Mayberry, Jr.
C. Lyle Mayberry, Jr. Date January 24, 2008

License Number 9380

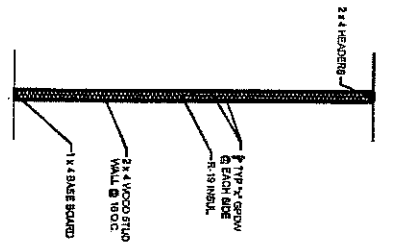
My license renewal date is December 31, 2009

Date of field survey: January, 2008

Sheets covered by this seal: Sheet 1 of 2 and Sheet 2 of 2.

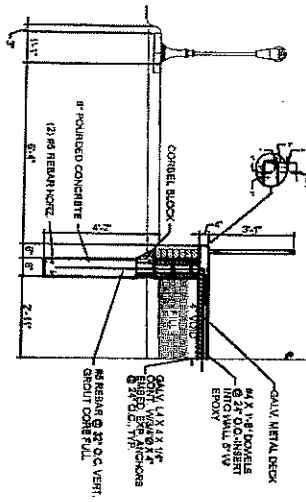


1 NEW FLOOR & WALL DETAIL
Scale: 1/2" = 1'-0"

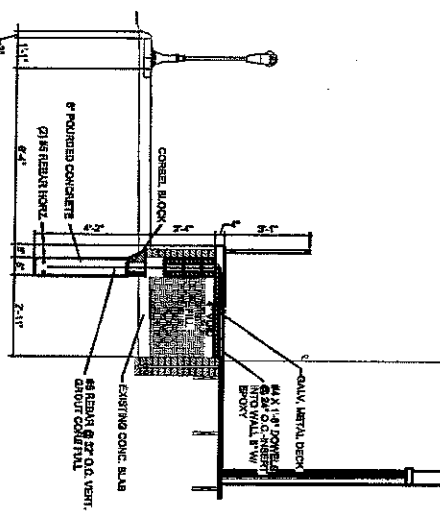


2 WALL DETAIL
Scale: 1/2" = 1'-0"

NOTE:
ALL NEW CONSTRUCTION MUST MATCH THE
EXISTING FLOOR TO FLOOR CONDITION & DETAIL
VERTICALLY WITH OWNER.



3 RAMP SECTION
Scale: 1/2" = 1'-0"



4 RAMP SECTION
Scale: 1/2" = 1'-0"

ROBERT H. BURGIN and ASSOCIATES INC. P.C. - ARCHITECTS

525 SOUTH MAIN

PHONE (712)-326-2003

FAX (712)-326-6335

COUNCIL-UFFS, IOWA 51503

MR. & MRS. JOHN LABOUNTY (RENOVATION)
109 SOUTH PEARL STREET (P) 808-753-7491
COUNCIL-UFFS, IA 51503

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ROBERT H. BURGIN
AND
ASSOCIATES, INC., P.C.
ALL RIGHTS RESERVED

Project
WALL DETAIL

No. Rev./Date
Date

Typed
1.00
Date
Dec 11, 2006
Drawn by
A3

PROOF OF PUBLICATION

STATE OF IOWA
POTTAWATTAMIE COUNTY

I, Amy McKay, on my oath do solemnly swear that I am the Controller of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper for 1 consecutive time(s) as follows:

The first publication thereof

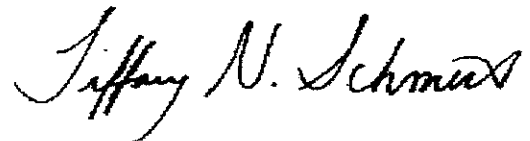
began on the 21st day of January, 2008

Signed in my presence by the said Amy McKay and by her sworn to before me this 21st day of January, A.D. 2008.

**NOTICE OF PUBLIC HEARING
ON INTENT TO VACATE AND
CONVEY CITY PROPERTY**
TO WHOM IT MAY CONCERN:
You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request to grant an easement and convey certain property interest located within the Pearl Street right-of-way and the South Main Street right-of-way adjacent to property legally described as Lot 3, Block 9, Bayliss 1st Addition. The location is adjacent to 109 Pearl Street, Council Bluffs, Iowa.
You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 28th day of January, 2008 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.
Judith H. Ridgely, City Clerk
2008 (1) 21 - 1 Monday



Amy McKay
Daily Nonpareil Controller



Tiffany N. Schmitt
Notary Public



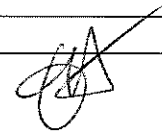
Filed this 21st day of January, A.D. 2008.
Publication Cost: \$ 11.54

SE

City Council Communication

Department: Community Development Applicant: John and Margaret LaBounty 109 Pearl Street, Council Bluffs, IA 51503 Case #ENC-08-001	Resolution to Grant No. <u>08-44</u>	Public Hearing: 3/24/08, continued by prior City Council action
Subject/Title Request to encroach into the South Main Street public right-of-way located adjacent to 109 Pearl Street to allow construction of an ADA compliant access ramp.		
Background and Discussion <p>The applicant purchased the property at 109 Pearl Street for residential and commercial use. In order to accommodate commercial use on the first floor the structure must be handicap accessible. Because the structure extends from lot line to lot line there is no additional lot area to construct an ADA compliant ramp on the exterior of the building.</p> <p>A policy was adopted by the City Council on January 28, 2008 establishing a procedure for allowing intrusions into the public pedestrian way in the C-3 and C-4 districts. The City Council granted an easement for an encroachment in the Pearl Street right-of-way at a previous meeting. Compensation was not established and as such the easement has not been conveyed.</p> <p>The request to build a ramp which would encroach into the South Main Street right-of-way was not approved at that time. The proposed design and appearance of the ramp was not consistent with the policy. The applicant has submitted a revised plan that is consistent with the intent of the policy. The ramp will have a concrete deck, metal handrail (similar to the original rail as seen on a historical photo of the building entrance), and will be 'skirted' with masonry brick on a footing as shown on the elevation drawing. The note regarding screen mesh under the ramp is not accurate and is not acceptable. It is assumed the note was not removed following revisions to the plan. The brick will match that of the existing building in order to compliment the structure. The proposed encroachment area is shown on Attachment 'A'. The proposed ramp design is shown on Attachment 'B'.</p> <p>Compensation was not established for the approved encroachment into the Pearl Street right-of-way or the proposed encroachment. One such amount to consider could be based on a per-square-foot assessed valuation of the adjacent land. In this case \$4.39/ft. Using that example:</p> <p style="padding-left: 40px;">Pearl Street encroachment would be valued at approximately: 54.67 ft/sq. x \$4.39= \$240.00 ; South Main Street encroachment would be valued at approximately: 185.2 ft/sq. x \$4.39= \$813.00.</p> <p>Easement conveyance is not effective until the compensation is established by the City Council, recorded and received from the applicant. The building permit will not be issued until such time as the conveyance is complete.</p>		
Attachments Attachment A: Easement plat Attachment B: Proposed encroachment design as submitted by the applicant		
Prepared by: Rose Brown, Urban Planner, Community Development Department		

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Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503 - Phone: 328-4616
Prepared by: Community Development Dept., Council Bluffs, IA 51503 - Phone: 328-4629

RESOLUTION NO. 2008-44

A RESOLUTION ESTABLISHING THE MONETARY COMPENSATION FOR GRANTING AN EASEMENT AND CONVEYING CERTAIN PROPERTY RIGHTS IN THE PEARL STREET RIGHT-OF-WAY ADJACENT TO LOT 3, BLOCK 9, BAYLISS 1ST ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AS APPROVED BY RESOLUTION NUMBER 2008-20 ON JANUARY 28, 2008.

WHEREAS, on January 28, 2008, this City Council approved Resolution Number 2008-20;
and

WHEREAS, this resolution approved granting an easement on City right-of-way; and

WHEREAS, consideration for this easement was not established at the time the Resolution 2008-20 was approved and the sole purpose of this resolution shall be to establish the cost for this easement.

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA:

Compensation for granting the easement, as described in Resolution 2008-20 shall be set at
\$ _____; and

BE IT FURTHER RESOLVED

That all of the terms and conditions in Resolution 2008-20 shall be in full force and effect.

ADOPTED

AND

APPROVED: March 24, 2008

Thomas P. Hanafan, Mayor

ATTEST:

Judith H. Ridgeley, City Clerk

STATE OF IOWA)
COUNTY OF) ss
POTTAWATTAMIE)

On this ____ day of _____, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Thomas P. Hanafan and Judith H. Ridgeley, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Thomas P. Hanafan and said Judith H. Ridgeley, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public in and for said State

Planning Case #ENC-08-001

Council Communication

Department: Finance	Ordinance No.																											
Case/Project No.	Resolution No. <u>08-75</u>	Council Action: <u>03/24/08</u>																										
Subject/Title																												
General Obligation Bond Issues – Public Hearings																												
Background/Discussion																												
<p>It is time to set the public hearing date for the City's annual General Obligation (GO) Bonds to fund the Capital Improvement Plan (CIP). The amount of the bond proceeds needed to cover the costs of the CIP is \$8,000,000. The hearing amounts are intended to be higher than the amount to be issued. This gives the City flexibility in issuing a larger amount if the costs increase at the last moment. The costs of issuing debt include Financial Advisory fees, Underwriter fees, Bond Attorney Fees, Moody's rating fees, and printing of official statements. The exact amount of these fees can not be calculated until a few weeks before the sale of the bonds.</p> <p>The following is a list of the hearing amounts and CIP project descriptions:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 60%;"><u>Projects</u></th> <th style="text-align: right; width: 40%;"><u>Hearing Amount</u></th> </tr> </thead> <tbody> <tr> <td>Essential Corporate Purposes</td> <td style="text-align: right;">\$ 6,610,000</td> </tr> <tr> <td>Variety of Street & Sewer Projects</td> <td></td> </tr> <tr> <td>Levee Improvements</td> <td></td> </tr> <tr> <td>Park Rehabilitation</td> <td></td> </tr> <tr> <td>Trail Development (Sidewalks)</td> <td></td> </tr> <tr> <td>Building Demolition</td> <td></td> </tr> <tr> <td>Police and Fire Vehicles & Equipment</td> <td></td> </tr> <tr> <td>General Corporate Purposes</td> <td></td> </tr> <tr> <td>Fire Training Facility</td> <td style="text-align: right;">105,000</td> </tr> <tr> <td>Animal Shelter</td> <td style="text-align: right;">255,000</td> </tr> <tr> <td>Recreational Complex Improvements</td> <td style="text-align: right;">600,000</td> </tr> <tr> <td>Urban Renewal Project – W Broadway</td> <td style="text-align: right;">430,000</td> </tr> </tbody> </table> <p><u>Timeline</u></p> <p>March 24 -Set Hearing Date</p> <p>March 27-31 – Publish Notices (10 to 20 days in advance of hearing)</p> <p>April 14 – Hold public hearings</p> <p>April 28 – Set sale date and authorize publication of notice of sale</p> <p>May 12 – Sell bonds (receive competitive interest rates)</p> <p>June 9 – Approve resolutions to finalize bond legal issues</p> <p>June 23 – Receive bond proceeds</p>			<u>Projects</u>	<u>Hearing Amount</u>	Essential Corporate Purposes	\$ 6,610,000	Variety of Street & Sewer Projects		Levee Improvements		Park Rehabilitation		Trail Development (Sidewalks)		Building Demolition		Police and Fire Vehicles & Equipment		General Corporate Purposes		Fire Training Facility	105,000	Animal Shelter	255,000	Recreational Complex Improvements	600,000	Urban Renewal Project – W Broadway	430,000
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Recommendation

The City Council approve resolutions fixing the date of April 14, 2008, at 7:00 p.m. for a Public Hearing on the following:

The proposition of the issuance of not to exceed \$6,610,000 General Obligation Bonds, Series 2008, (For an essential corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$105,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$255,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$600,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$430,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

Department Head Signature



Mayor Signature

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Council Bluffs, Iowa.
Date of Meeting: March 24, 2008.
Time of Meeting: 7:00 o'clock P.M.
Place of Meeting: Council Chambers, City Hall, 209 Pearl Street,
Council Bluffs, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

Not to Exceed \$6,610,000 General Obligation Bonds, Series 2008.

- Resolution fixing date for a meeting on the proposition to issue.

Such additional matters as are set forth on the additional n/a page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of said governmental body.


City Clerk, Council Bluffs, Iowa

March 24, 2008

The City Council of Council Bluffs, Iowa, met in regular session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$6,610,000 GENERAL OBLIGATION BONDS, SERIES 2008 (FOR AN ESSENTIAL CORPORATE PURPOSE) OF COUNCIL BLUFFS, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution No. 08-75

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$6,610,000 GENERAL OBLIGATION BONDS, SERIES 2008 (FOR AN ESSENTIAL CORPORATE PURPOSE) OF COUNCIL BLUFFS, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Council Bluffs, Iowa, should issue General Obligation Bonds, Series 2008, to the amount of not to exceed \$6,610,000, as authorized by Section 384.25, of the City Code of Iowa, for the purpose of providing funds to pay costs of carrying out an essential corporate purpose project as hereinafter described; and

WHEREAS, before said bonds may be issued, it is necessary to comply with the provisions of said Code, and to publish a notice of the proposal to issue such bonds and of the time and place of the meeting at which the Council proposes to take action for the issuance of the bonds and to receive oral and/or written objections from any resident or property owner of said City to such action;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock P.M., on the 14th day of April, 2008, for the purpose of taking action on the matter of the issuance of not to exceed \$6,610,000 General Obligation Bonds, Series 2008, for an essential corporate purpose of said City, the proceeds of which bonds will be used to provide funds to pay costs of improvements to existing parks; improvements to control surface water, including levee improvements, bridges, streets and pedestrian overpasses; street, water, road improvements, and sanitary and storm sewer improvements; acquisition of equipment for the Municipal Fire Department, installment of traffic control devices; acquisition of equipment for the Municipal Police Department; acquisition of land for roads, road improvements, overpasses and bridges; and acquisition of abandoned, dilapidated, or dangerous buildings, structures or properties.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than four clear days nor more than twenty days before the date of said public meeting on the issuance of said bonds.

Section 3. The notice of the proposed action to issue said bonds shall be in substantially the following form:

NOTICE OF MEETING OF THE COUNCIL OF THE CITY OF
COUNCIL BLUFFS, IOWA, ON THE MATTER OF THE PROPOSED
ISSUANCE OF NOT TO EXCEED \$6,610,000 GENERAL
OBLIGATION BONDS, SERIES 2008 (FOR AN ESSENTIAL
CORPORATE PURPOSE) OF SAID CITY, AND THE HEARING ON
THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Council of the City of Council Bluffs, Iowa, will hold a public hearing on the 14th day of April, 2008, at 7:00 o'clock P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$6,610,000 General Obligation Bonds, Series 2008. for an essential corporate purpose of said City, in order to provide funds to pay costs of improvements to existing parks; improvements to control surface water, including levee improvements, bridges, streets and pedestrian overpasses; street, water, road improvements, and sanitary and storm sewer improvements; acquisition of equipment for the Municipal Fire Department, installment of traffic control devices; acquisition of equipment for the Municipal Police Department; acquisition of land for roads, road improvements, overpasses and bridges; and acquisition of abandoned, dilapidated, or dangerous buildings, structures or properties.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of said City, to the above action. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action for the issuance of said bonds or will abandon the proposal to issue said bonds.

This notice is given by order of the Council of Council Bluffs, Iowa, as provided by Section 384.25 of the City Code of Iowa.

Dated this 24th day of March, 2008.


City Clerk of Council Bluffs, Iowa

(End of Notice)

PASSED AND APPROVED this 24th day of March, 2008.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

I, the undersigned City Clerk of Council Bluffs, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Municipality hereto affixed this _____ day of _____, 2008.

City Clerk, Council Bluffs, Iowa

SEAL

Council Communication

Department: Finance	Ordinance No. Resolution No. <u>08-76</u>	Council Action: <u>03/24/08</u>																										
Subject/Title																												
General Obligation Bond Issues – Public Hearings																												
Background/Discussion																												
<p>It is time to set the public hearing date for the City's annual General Obligation (GO) Bonds to fund the Capital Improvement Plan (CIP). The amount of the bond proceeds needed to cover the costs of the CIP is \$8,000,000. The hearing amounts are intended to be higher than the amount to be issued. This gives the City flexibility in issuing a larger amount if the costs increase at the last moment. The costs of issuing debt include Financial Advisory fees, Underwriter fees, Bond Attorney Fees, Moody's rating fees, and printing of official statements. The exact amount of these fees can not be calculated until a few weeks before the sale of the bonds.</p> <p>The following is a list of the hearing amounts and CIP project descriptions:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 50%;"><u>Projects</u></th> <th style="text-align: left; width: 50%;"><u>Hearing Amount</u></th> </tr> </thead> <tbody> <tr> <td>Essential Corporate Purposes</td> <td>\$ 6,610,000</td> </tr> <tr> <td> Variety of Street & Sewer Projects</td> <td></td> </tr> <tr> <td> Levee Improvements</td> <td></td> </tr> <tr> <td> Park Rehabilitation</td> <td></td> </tr> <tr> <td> Trail Development (Sidewalks)</td> <td></td> </tr> <tr> <td> Building Demolition</td> <td></td> </tr> <tr> <td> Police and Fire Vehicles & Equipment</td> <td></td> </tr> <tr> <td>General Corporate Purposes</td> <td></td> </tr> <tr> <td> Fire Training Facility</td> <td>105,000</td> </tr> <tr> <td> Animal Shelter</td> <td>255,000</td> </tr> <tr> <td> Recreational Complex Improvements</td> <td>600,000</td> </tr> <tr> <td> Urban Renewal Project – W Broadway</td> <td>430,000</td> </tr> </tbody> </table> <p><u>Timeline</u></p> <p>March 24 -Set Hearing Date</p> <p>March 27-31 – Publish Notices (10 to 20 days in advance of hearing)</p> <p>April 14 – Hold public hearings</p> <p>April 28 – Set sale date and authorize publication of notice of sale</p> <p>May 12 – Sell bonds (receive competitive interest rates)</p> <p>June 9 – Approve resolutions to finalize bond legal issues</p> <p>June 23 – Receive bond proceeds</p>			<u>Projects</u>	<u>Hearing Amount</u>	Essential Corporate Purposes	\$ 6,610,000	Variety of Street & Sewer Projects		Levee Improvements		Park Rehabilitation		Trail Development (Sidewalks)		Building Demolition		Police and Fire Vehicles & Equipment		General Corporate Purposes		Fire Training Facility	105,000	Animal Shelter	255,000	Recreational Complex Improvements	600,000	Urban Renewal Project – W Broadway	430,000
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Recreational Complex Improvements	600,000																											
Urban Renewal Project – W Broadway	430,000																											

Recommendation

The City Council approve resolutions fixing the date of April 14, 2008, at 7:00 p.m. for a Public Hearing on the following:

The proposition of the issuance of not to exceed \$6,610,000 General Obligation Bonds, Series 2008, (For an essential corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$105,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$255,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$600,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$430,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

Department Head Signature



Mayor Signature

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Council Bluffs, Iowa.
Date of Meeting: March 24, 2008.
Time of Meeting: 7:00 o'clock P.M.
Place of Meeting: Council Chambers, City Hall, 209 Pearl Street,
Council Bluffs, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

Not to Exceed \$255,000 General Obligation Bonds, Series 2008.

- Resolution fixing date for a meeting on the proposition to issue.

Such additional matters as are set forth on the additional n/a page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.


City Clerk, Council Bluffs, Iowa

March 24, 2008

The City Council of Council Bluffs, Iowa, met in regular session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$255,000 OF GENERAL OBLIGATION BONDS, SERIES 2008, (FOR A GENERAL CORPORATE PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution No: 08-76

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$255,000 OF GENERAL OBLIGATION BONDS, SERIES 2008 (FOR A GENERAL CORPORATE PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, the City of Council Bluffs, Iowa, is in need of funds to carry out a general corporate purpose project as hereinafter described; and, it is deemed necessary that it should issue General Obligation Bonds, Series 2008, to the amount of not to exceed \$255,000 as authorized by Section 384.26 of the City Code of Iowa, for the purpose of providing funds to pay costs thereof; and

WHEREAS, the City has a population of more than 5,000, but not more than 75,000, and the amount of the proposed bond issue is not more than \$700,000.00; and

WHEREAS, before the bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the City Code of Iowa, and to publish a notice of the proposal to issue such bonds and the right to petition for an election;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock P.M., on the 14th day of April, 2008, for the purpose of taking action on the matter of the issuance of not to exceed \$255,000 of General Obligation Bonds, Series 2008, the proceeds of which bonds will be used to provide funds to pay costs of construction, equipping and improvements to the Animal Shelter, and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of meeting in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days before the date of public meeting on the issuance of bonds.

Section 3. The notice of the proposed action to issue bonds shall be in substantially the following form:

NOTICE OF MEETING OF THE COUNCIL OF THE CITY OF
COUNCIL BLUFFS, IOWA, ON THE MATTER OF THE PROPOSED
ISSUANCE OF NOT TO EXCEED \$255,000 PRINCIPAL AMOUNT OF
GENERAL OBLIGATION BONDS, SERIES 2008 (FOR A GENERAL
CORPORATE PURPOSE), AND HEARING ON ISSUANCE OF THE
BONDS

Public Notice is hereby given that the Council of the City of Council Bluffs, Iowa, will hold a public hearing on the 14th day of April, 2008, at 7:00 o'clock P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take action for the issuance of not to exceed \$255,000 of General Obligation Bonds, Series 2008, bearing interest at the rate of not to exceed nine (9%) per centum per annum, the bonds to be issued for the purpose of providing funds to pay costs of construction, equipping and improvements to the Animal Shelter.

This Notice is given by order of the Council of the City of Council Bluffs, Iowa, as provided by Section 384.26 of the City Code of Iowa.

At any time before the date of the meeting, a petition, asking that the question of issuing such bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the City Code of Iowa, pursuant to the provisions of Section 384.26 of the City Code of Iowa.

Dated at Council Bluffs, Iowa, this 24th day of March, 2008.



City Clerk of Council Bluffs, Iowa

(End of Notice)

PASSED AND APPROVED this 24th day of March, 2008.

Mayor

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Municipality hereto affixed this _____ day of _____, 2008.

City Clerk, Council Bluffs, Iowa

SEAL

Council Communication

Department: Finance	Ordinance No.																											
Case/Project No.	Resolution No. <u>08-77</u>	Council Action: <u>03/24/08</u>																										
Subject/Title																												
General Obligation Bond Issues – Public Hearings																												
Background/Discussion																												
<p>It is time to set the public hearing date for the City's annual General Obligation (GO) Bonds to fund the Capital Improvement Plan (CIP). The amount of the bond proceeds needed to cover the costs of the CIP is \$8,000,000. The hearing amounts are intended to be higher than the amount to be issued. This gives the City flexibility in issuing a larger amount if the costs increase at the last moment. The costs of issuing debt include Financial Advisory fees, Underwriter fees, Bond Attorney Fees, Moody's rating fees, and printing of official statements. The exact amount of these fees can not be calculated until a few weeks before the sale of the bonds.</p> <p>The following is a list of the hearing amounts and CIP project descriptions:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Projects</u></th> <th style="text-align: right;"><u>Hearing Amount</u></th> </tr> </thead> <tbody> <tr> <td>Essential Corporate Purposes</td> <td style="text-align: right;">\$ 6,610,000</td> </tr> <tr> <td>Variety of Street & Sewer Projects</td> <td></td> </tr> <tr> <td>Levee Improvements</td> <td></td> </tr> <tr> <td>Park Rehabilitation</td> <td></td> </tr> <tr> <td>Trail Development (Sidewalks)</td> <td></td> </tr> <tr> <td>Building Demolition</td> <td></td> </tr> <tr> <td>Police and Fire Vehicles & Equipment</td> <td></td> </tr> <tr> <td>General Corporate Purposes</td> <td></td> </tr> <tr> <td>Fire Training Facility</td> <td style="text-align: right;">105,000</td> </tr> <tr> <td>Animal Shelter</td> <td style="text-align: right;">255,000</td> </tr> <tr> <td>Recreational Complex Improvements</td> <td style="text-align: right;">600,000</td> </tr> <tr> <td>Urban Renewal Project – W Broadway</td> <td style="text-align: right;">430,000</td> </tr> </tbody> </table> <p><u>Timeline</u></p> <p>March 24 -Set Hearing Date</p> <p>March 27-31 – Publish Notices (10 to 20 days in advance of hearing)</p> <p>April 14 – Hold public hearings</p> <p>April 28 – Set sale date and authorize publication of notice of sale</p> <p>May 12 – Sell bonds (receive competitive interest rates)</p> <p>June 9 – Approve resolutions to finalize bond legal issues</p> <p>June 23 – Receive bond proceeds</p>			<u>Projects</u>	<u>Hearing Amount</u>	Essential Corporate Purposes	\$ 6,610,000	Variety of Street & Sewer Projects		Levee Improvements		Park Rehabilitation		Trail Development (Sidewalks)		Building Demolition		Police and Fire Vehicles & Equipment		General Corporate Purposes		Fire Training Facility	105,000	Animal Shelter	255,000	Recreational Complex Improvements	600,000	Urban Renewal Project – W Broadway	430,000
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Urban Renewal Project – W Broadway	430,000																											

Recommendation

The City Council approve resolutions fixing the date of April 14, 2008, at 7:00 p.m. for a Public Hearing on the following:

The proposition of the issuance of not to exceed \$6,610,000 General Obligation Bonds, Series 2008, (For an essential corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$105,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$255,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$600,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$430,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

Department Head Signature



Mayor Signature

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Council Bluffs, Iowa.
Date of Meeting: March 24, 2008.
Time of Meeting: 7:00 o'clock P.M.
Place of Meeting: Council Chambers, City Hall, 209 Pearl Street,
 Council Bluffs, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

Not to Exceed \$105,000 General Obligation Bonds, Series 2008.

- Resolution fixing date for a meeting on the proposition to issue.

Such additional matters as are set forth on the additional n/a page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

City Clerk, Council Bluffs, Iowa

March 24, 2008

The City Council of Council Bluffs, Iowa, met in regular session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock ^P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$105,000 OF GENERAL OBLIGATION BONDS, SERIES 2008, (FOR A GENERAL CORPORATE PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution No. 08-77

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$105,000 OF GENERAL OBLIGATION BONDS, SERIES 2008 (FOR A GENERAL CORPORATE PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, the City of Council Bluffs, Iowa, is in need of funds to carry out a general corporate purpose project as hereinafter described; and, it is deemed necessary that it should issue General Obligation Bonds, Series 2008, to the amount of not to exceed \$105,000 as authorized by Section 384.26 of the City Code of Iowa, for the purpose of providing funds to pay costs thereof; and

WHEREAS, the City has a population of more than 5,000, but not more than 75,000, and the amount of the proposed bond issue is not more than \$700,000.00; and

WHEREAS, before the bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the City Code of Iowa, and to publish a notice of the proposal to issue such bonds and the right to petition for an election;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock P.M., on the 14th day of April, 2008, for the purpose of taking action on the matter of the issuance of not to exceed \$105,000 of General Obligation Bonds, Series 2008, the proceeds of which bonds will be used to provide funds to pay costs of construction, equipping and improvements to the Fire Training Facility, and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of meeting in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days before the date of public meeting on the issuance of bonds.

Section 3. The notice of the proposed action to issue bonds shall be in substantially the following form:

NOTICE OF MEETING OF THE COUNCIL OF THE CITY OF
COUNCIL BLUFFS, IOWA, ON THE MATTER OF THE PROPOSED
ISSUANCE OF NOT TO EXCEED \$105,000 PRINCIPAL AMOUNT OF
GENERAL OBLIGATION BONDS, SERIES 2008 (FOR A GENERAL
CORPORATE PURPOSE), AND HEARING ON ISSUANCE OF THE
BONDS

Public Notice is hereby given that the Council of the City of Council Bluffs, Iowa, will hold a public hearing on the 14th day of April, 2008, at 7:00 o'clock P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take action for the issuance of not to exceed \$105,000 of General Obligation Bonds, Series 2008, bearing interest at the rate of not to exceed nine (9%) per centum per annum, the bonds to be issued for the purpose of providing funds to pay costs of construction, equipping and improvements to the Fire Training Facility.

This Notice is given by order of the Council of the City of Council Bluffs, Iowa, as provided by Section 384.26 of the City Code of Iowa.

At any time before the date of the meeting, a petition, asking that the question of issuing such bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the City Code of Iowa, pursuant to the provisions of Section 384.26 of the City Code of Iowa.

Dated at Council Bluffs, Iowa, this 24th day of March, 2008.


City Clerk of Council Bluffs, Iowa

(End of Notice)

PASSED AND APPROVED this 24th day of March, 2008.

Mayor

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Municipality hereto affixed this _____ day of _____, 2008.

City Clerk, Council Bluffs, Iowa

SEAL

Council Communication

Department: Finance	Ordinance No.																											
Case/Project No.	Resolution No. <u>08-78</u>	Council Action: <u>03/24/08</u>																										
Subject/Title																												
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<p>It is time to set the public hearing date for the City's annual General Obligation (GO) Bonds to fund the Capital Improvement Plan (CIP). The amount of the bond proceeds needed to cover the costs of the CIP is \$8,000,000. The hearing amounts are intended to be higher than the amount to be issued. This gives the City flexibility in issuing a larger amount if the costs increase at the last moment. The costs of issuing debt include Financial Advisory fees, Underwriter fees, Bond Attorney Fees, Moody's rating fees, and printing of official statements. The exact amount of these fees can not be calculated until a few weeks before the sale of the bonds.</p> <p>The following is a list of the hearing amounts and CIP project descriptions:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 50%;"><u>Projects</u></th> <th style="text-align: right; width: 50%;"><u>Hearing Amount</u></th> </tr> </thead> <tbody> <tr> <td>Essential Corporate Purposes</td> <td style="text-align: right;">\$ 6,610,000</td> </tr> <tr> <td> Variety of Street & Sewer Projects</td> <td></td> </tr> <tr> <td> Levee Improvements</td> <td></td> </tr> <tr> <td> Park Rehabilitation</td> <td></td> </tr> <tr> <td> Trail Development (Sidewalks)</td> <td></td> </tr> <tr> <td> Building Demolition</td> <td></td> </tr> <tr> <td> Police and Fire Vehicles & Equipment</td> <td></td> </tr> <tr> <td>General Corporate Purposes</td> <td></td> </tr> <tr> <td> Fire Training Facility</td> <td style="text-align: right;">105,000</td> </tr> <tr> <td> Animal Shelter</td> <td style="text-align: right;">255,000</td> </tr> <tr> <td> Recreational Complex Improvements</td> <td style="text-align: right;">600,000</td> </tr> <tr> <td> Urban Renewal Project – W Broadway</td> <td style="text-align: right;">430,000</td> </tr> </tbody> </table> <p><u>Timeline</u></p> <p>March 24 -Set Hearing Date</p> <p>March 27-31 – Publish Notices (10 to 20 days in advance of hearing)</p> <p>April 14 – Hold public hearings</p> <p>April 28 – Set sale date and authorize publication of notice of sale</p> <p>May 12 – Sell bonds (receive competitive interest rates)</p> <p>June 9 – Approve resolutions to finalize bond legal issues</p> <p>June 23 – Receive bond proceeds</p>			<u>Projects</u>	<u>Hearing Amount</u>	Essential Corporate Purposes	\$ 6,610,000	Variety of Street & Sewer Projects		Levee Improvements		Park Rehabilitation		Trail Development (Sidewalks)		Building Demolition		Police and Fire Vehicles & Equipment		General Corporate Purposes		Fire Training Facility	105,000	Animal Shelter	255,000	Recreational Complex Improvements	600,000	Urban Renewal Project – W Broadway	430,000
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Recommendation

The City Council approve resolutions fixing the date of April 14, 2008, at 7:00 p.m. for a Public Hearing on the following:

The proposition of the issuance of not to exceed \$6,610,000 General Obligation Bonds, Series 2008, (For an essential corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$105,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$255,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$600,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$430,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

Department Head Signature



Mayor Signature

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Council Bluffs, Iowa.
Date of Meeting: March 24, 2008.
Time of Meeting: 7:00 o'clock P.M.
Place of Meeting: Council Chambers, City Hall, 209 Pearl Street,
Council Bluffs, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

Not to Exceed \$600,000 General Obligation Bonds, Series 2008.

- Resolution fixing date for a meeting on the proposition to issue.

Such additional matters as are set forth on the additional n/a page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.


City Clerk, Council Bluffs, Iowa

March 24, 2008

The City Council of Council Bluffs, Iowa, met in regular session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$600,000 OF GENERAL OBLIGATION BONDS, SERIES 2008 (FOR A GENERAL CORPORATE PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution No. 08-78

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$600,000 OF GENERAL OBLIGATION BONDS, SERIES 2008 (FOR A GENERAL CORPORATE PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, the City of Council Bluffs, Iowa, is in need of funds to carry out a general corporate purpose project as hereinafter described; and, it is deemed necessary that it should issue General Obligation Bonds, Series 2008, to the amount of not to exceed \$600,000 as authorized by Section 384.26 of the City Code of Iowa, for the purpose of providing funds to pay costs thereof; and

WHEREAS, the City has a population of more than 5,000, but not more than 75,000, and the amount of the proposed bond issue is not more than \$700,000.00; and

WHEREAS, before the bonds may be issued, it is necessary to comply with the provisions of Chapter 384 of the City Code of Iowa, and to publish a notice of the proposal to issue such bonds and the right to petition for an election;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock P.M., on the 14th day of April, 2008, for the purpose of taking action on the matter of the issuance of not to exceed \$600,000 of General Obligation Bonds, Series 2008, the proceeds of which bonds will be used to provide funds to pay costs of recreational improvements, including soccer fields, concession/restroom building, playground and tennis courts, and recreational trails and roads, including land therefor, and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of meeting in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days before the date of public meeting on the issuance of bonds.

Section 3. The notice of the proposed action to issue bonds shall be in substantially the following form:

NOTICE OF MEETING OF THE COUNCIL OF THE CITY OF
COUNCIL BLUFFS, IOWA, ON THE MATTER OF THE PROPOSED
ISSUANCE OF NOT TO EXCEED \$600,000 PRINCIPAL AMOUNT OF
GENERAL OBLIGATION BONDS, SERIES 2008 (FOR A GENERAL
CORPORATE PURPOSE), AND HEARING ON ISSUANCE OF THE
BONDS

Public Notice is hereby given that the Council of the City of Council Bluffs, Iowa, will hold a public hearing on the 14th day of April, 2008, at 7:00 o'clock P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take action for the issuance of not to exceed \$600,000 of General Obligation Bonds, Series 2008, bearing interest at the rate of not to exceed nine (9%) per centum per annum, the bonds to be issued for the purpose of providing funds to pay costs of recreational improvements, including soccer fields, concession/restroom building, playground and tennis courts, and recreational trails and roads, including land therefor.

This Notice is given by order of the Council of the City of Council Bluffs, Iowa, as provided by Section 384.26 of the City Code of Iowa.

At any time before the date of the meeting, a petition, asking that the question of issuing such bonds be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the City Code of Iowa, pursuant to the provisions of Section 384.26 of the City Code of Iowa.

Dated at Council Bluffs, Iowa, this 24th day of March, 2008.


City Clerk of Council Bluffs, Iowa

(End of Notice)

PASSED AND APPROVED this 24th day of March, 2008.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

I, the undersigned City Clerk of Council Bluffs, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Municipality hereto affixed this _____
day of _____, 2008.

City Clerk, Council Bluffs, Iowa

SEAL

Council Communication

Department: Finance	Ordinance No.																											
Case/Project No.	Resolution No. <u>08-79</u>	Council Action: <u>03/24/08</u>																										
Subject/Title																												
General Obligation Bond Issues – Public Hearings																												
Background/Discussion																												
<p>It is time to set the public hearing date for the City's annual General Obligation (GO) Bonds to fund the Capital Improvement Plan (CIP). The amount of the bond proceeds needed to cover the costs of the CIP is \$8,000,000. The hearing amounts are intended to be higher than the amount to be issued. This gives the City flexibility in issuing a larger amount if the costs increase at the last moment. The costs of issuing debt include Financial Advisory fees, Underwriter fees, Bond Attorney Fees, Moody's rating fees, and printing of official statements. The exact amount of these fees can not be calculated until a few weeks before the sale of the bonds.</p> <p>The following is a list of the hearing amounts and CIP project descriptions:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Projects</u></th> <th style="text-align: right;"><u>Hearing Amount</u></th> </tr> </thead> <tbody> <tr> <td>Essential Corporate Purposes</td> <td style="text-align: right;">\$ 6,610,000</td> </tr> <tr> <td> Variety of Street & Sewer Projects</td> <td></td> </tr> <tr> <td> Levee Improvements</td> <td></td> </tr> <tr> <td> Park Rehabilitation</td> <td></td> </tr> <tr> <td> Trail Development (Sidewalks)</td> <td></td> </tr> <tr> <td> Building Demolition</td> <td></td> </tr> <tr> <td> Police and Fire Vehicles & Equipment</td> <td></td> </tr> <tr> <td>General Corporate Purposes</td> <td></td> </tr> <tr> <td> Fire Training Facility</td> <td style="text-align: right;">105,000</td> </tr> <tr> <td> Animal Shelter</td> <td style="text-align: right;">255,000</td> </tr> <tr> <td> Recreational Complex Improvements</td> <td style="text-align: right;">600,000</td> </tr> <tr> <td> Urban Renewal Project – W Broadway</td> <td style="text-align: right;">430,000</td> </tr> </tbody> </table> <p><u>Timeline</u></p> <p>March 24 -Set Hearing Date</p> <p>March 27-31 – Publish Notices (10 to 20 days in advance of hearing)</p> <p>April 14 – Hold public hearings</p> <p>April 28 – Set sale date and authorize publication of notice of sale</p> <p>May 12 – Sell bonds (receive competitive interest rates)</p> <p>June 9 – Approve resolutions to finalize bond legal issues</p> <p>June 23 – Receive bond proceeds</p>			<u>Projects</u>	<u>Hearing Amount</u>	Essential Corporate Purposes	\$ 6,610,000	Variety of Street & Sewer Projects		Levee Improvements		Park Rehabilitation		Trail Development (Sidewalks)		Building Demolition		Police and Fire Vehicles & Equipment		General Corporate Purposes		Fire Training Facility	105,000	Animal Shelter	255,000	Recreational Complex Improvements	600,000	Urban Renewal Project – W Broadway	430,000
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Recreational Complex Improvements	600,000																											
Urban Renewal Project – W Broadway	430,000																											

Recommendation

The City Council approve resolutions fixing the date of April 14, 2008, at 7:00 p.m. for a Public Hearing on the following:

The proposition of the issuance of not to exceed \$6,610,000 General Obligation Bonds, Series 2008, (For an essential corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$105,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$255,000 General Obligation Bonds, Series 2008, (For a general corporate purpose) and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$600,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

The proposition of the issuance of not to exceed \$430,000 General Obligation Bonds, Series 2008, (For a general corporate purpose and providing for publication of notice thereof.

Department Head Signature



Mayor Signature

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Council Bluffs, Iowa.
Date of Meeting: March 24, 2008.
Time of Meeting: 7:00 o'clock P.M.
Place of Meeting: Council Chambers, City Hall, 209 Pearl Street,
Council Bluffs, Iowa.


PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

Not to Exceed \$430,000 General Obligation Bonds, Series 2008.

- Resolution fixing date for a meeting on the proposition to issue.

Such additional matters as are set forth on the additional n/a page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of said governmental body.



City Clerk, Council Bluffs, Iowa

March 24, 2008

The City Council of Council Bluffs, Iowa, met in regular session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock ^P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$430,000 GENERAL OBLIGATION BONDS, SERIES 2008 (FOR AN ESSENTIAL CORPORATE PURPOSE) OF COUNCIL BLUFFS, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

Resolution No. 08-79
RESOLUTION FIXING DATE FOR A MEETING ON THE
PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED
\$430,000 GENERAL OBLIGATION BONDS, SERIES 2008
(FOR AN ESSENTIAL CORPORATE PURPOSE) OF
COUNCIL BLUFFS, IOWA, AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Council Bluffs, Iowa, should issue General Obligation Bonds, Series 2008, to the amount of not to exceed \$430,000, as authorized by Sections 384.24(q), 384.25 and 403.12, of the City Code of Iowa, for the purpose of providing funds to pay costs of carrying out an essential corporate purpose project as hereinafter described; and

WHEREAS, before said bonds may be issued, it is necessary to comply with the provisions of Chapters 384 and 403 of the City Code, and to publish a notice of the proposal to issue such bonds and the right to petition for an election, and to receive oral and/or written objections from any resident or property owner of said City to such action;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 o'clock P.M., on the 14th day of April, 2008, for the purpose of taking action on the matter of the issuance of not to exceed \$430,000 General Obligation Bonds, Series 2008, for an essential corporate purpose of said City, the proceeds of which bonds will be used to provide funds to pay costs of aiding in the planning, undertaking and carrying out of an urban renewal project for the West Broadway Project consisting of acquisition of land therefor.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than ten clear days before the date of said public meeting on the issuance of said bonds.

Section 3. The notice of the proposed action to issue said bonds shall be in substantially the following form:

NOTICE OF MEETING OF THE COUNCIL OF THE CITY OF
COUNCIL BLUFFS, IOWA, ON THE MATTER OF THE PROPOSED
ISSUANCE OF NOT TO EXCEED \$430,000 GENERAL OBLIGATION
BONDS, SERIES 2008 (FOR AN ESSENTIAL CORPORATE PURPOSE)
OF SAID CITY, AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Council of the City of Council Bluffs, Iowa, will hold a public hearing on the 14th day of April, 2008, at 7:00 o'clock P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take additional action for the issuance of not to exceed \$430,000 General Obligation Bonds, Series 2008, for an essential corporate purpose of said City, in order to provide funds to pay costs of aiding in the planning, undertaking and carrying out of an urban renewal project for the West Broadway Project consisting of acquisition of land therefor.

At any time before the date of said meeting, a petition, asking that the question of issuing such bonds be submitted to the legal voters of said City, may be filed with the Clerk of said City in the manner provided by Section 362.4 of the City Code of Iowa.

At the above meeting the Council also shall receive oral or written objections from any resident or property owner of said City, to the above action. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action for the issuance of said bonds or will abandon the proposal to issue said bonds.

This Notice is given by order of the Council of the City of Council Bluffs, Iowa, as provided by Sections 384.24(q), 384.25 and 403.12 of the City Code of Iowa.

Dated this 24th day of March, 2008.


City Clerk of Council Bluffs, Iowa

(End of Notice)

PASSED AND APPROVED this 24th day of March, 2008.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

I, the undersigned City Clerk of Council Bluffs, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Municipality hereto affixed this _____ day of _____, 2008.

City Clerk, Council Bluffs, Iowa

SEAL